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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/304,035	05/03/1999	GIORGIO J. VANZINI	MSI-254US	9156
22801	7590	06/15/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			KIM, AHSHIK	
			ART UNIT	PAPER NUMBER
			2876	
DATE MAILED: 06/15/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/304,035	<b>Applicant(s)</b> VANZINI ET AL.	
	<b>Examiner</b> Ahshik Kim	<b>Art Unit</b> 2876	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04/05/05 (RCE).
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,6,22-26,39,42-44,50 and 52-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,22-26,39,42-44,50 and 52-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in  
5 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is  
eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)  
has been timely paid, the finality of the previous Office action has been withdrawn pursuant to  
37 CFR 1.114. Applicant's submission filed on April 5, 2005 has been entered.

### ***Amendment***

10 2. Receipt is acknowledged of the amendment filed on April 5, 2005. In the amendment  
claims 5, 40, 41, and 45-48 were canceled, claims 1, 4, 6, 22, 39, 42, and 50 were currently  
amended, and claims 54-56 were newly added. Currently, claims 1, 4, 6, 22-26, 39, 42-44, 50,  
and 52-56 remain for examination.

### ***Claim Rejections - 35 USC § 103***

15 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

20 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in  
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are  
such that the subject matter as a whole would have been obvious at the time the invention was made to a person  
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the  
manner in which the invention was made.

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4. Claims 1, 4, 6, 22-26, 50, and 52-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harari et al. (US 5,887,145, hereinafter "Harari") in view of Dedrick (US 5,710,884, hereinafter "Dedrick").

Re claims 1, 22, 50, and 54-56 Harari teaches an assembly for physically transporting a  
5 user data comprising PCMCIA form factor device 10 (col. 3, lines 19-23; col. 6, lines 63+) further comprising an interface 14 to communicate with a removable storage card (physical key) 20 and a flash memory 60 (see figure 7). The daughter card 20 is a removable smart card. The card assembly 100 can be connected to a host machine/system (see abstract; col. 1, lines 13+).

Harari fails to specifically teach or fairly suggest that a removable physical key is  
10 passcode-activated.

Dedrick discloses a system for updating a personal profile in the network environment allowing the users to connect tot the network utilizing PCMCIA based smart card 11 with flash memory (col. 1, lines 12+; col. 2, lines 5-10). Data on the smart card is to be accessed with a passcode or PIN (col. 6, lines 59-66). Once the smart card is removed from the interface, user-  
15 related data is deleted from the RAM (col. 6, lines 22-33; col. 7, lines 5-8). Although Dedrick may not explicitly disclose a login process, user provides minimum information connecting to the network (col. 2, lines 16-29).

In view of Dedrick's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to employ well-known passcode protection to the teachings  
20 of Harari in order to protect the sensitive information on the card. Harari's daughter card carries identification information which may need to be protected. In various embodiments, identify theft can cause a significant damage, which needs to be avoided. Accordingly, protecting the

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smart card with password can provide an added means of security. Such improvement, in the Examiner's view, is an obvious modification one ordinary skill in the art can contemplate.

Re claims 23 and 48, the storage card contains various chips such as flash EEPROM memory (col. 7, lines 24-+).

5 Re claims 4, 5, and 24, the storage card 20 further contains identifying data readable from the mother card or the host, which in turn can be used in guiding the host to use a particular device protocols or software (col. 5, lines 38+).

Re claims 6, 25, 26, 52, and 53, the daughter card 30 stores an assignable identity code and a secret key (private key in RSA public-key data encoding scheme) (col. 13, lines 64+).

10 Only when the private-public keys are matched, the information can be decrypted and read.

5. Claims 39 and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harari et al. (US 5,887,145) in view of Dedrick (US 5,710,884) and Ban et al (US 6,148,354, hereinafter "Ban").

The teachings of Harari as modified by Dedrick have been discussed above. Although  
15 Harari discloses an interface 54 to the host machine (col. 7, lines 54+), Harari fails to specifically teach or fairly suggest that one of the interfaces is USB interface.

Ban teaches a flash memory card comprising USB interface (i.e., USB connector, USB logical/physical interface and USB functional interface) (see figure 6; col. 1, lines 43+; col. 4, lines 59+).

20 In view of Ban's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to alternately employ well-known USB interface to the teachings of Harari in order to communicate with host machine which uses USB standard. USB interface is

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often smaller in size and easier for the end users. Moreover, it is the Examiner's view that communication protocol such as PCMCIA interface, USB interface, SCSI and RS232 interface are functionally equivalent in that host and the card can communicate using any of the communication protocols. Accordingly, one ordinary skill in the art would choose an interface  
5 best fitting the needs of the one's embodiment.

### Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Potdevin et al. (US 5,679,007); Cobb (US 5,860,157); Kurz et al. (US 5,955,722)  
10 disclose smart card systems. Applicant is respectfully suggested to carefully review these references.

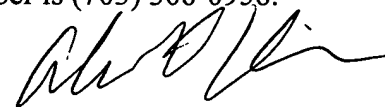
II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru  
15 Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be  
20 addressed to [ahshik.kim@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly  
25 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.  
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Ahshik Kim  
Patent Examiner  
Art Unit 2876  
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